

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: James N. Vinci
Serial No.: 09/432,539
Filed: November 3, 1999
For: LUBRICANTS HAVING AN OVERBASED METAL SALTS AND ORGANIC PHOSPHITES
Art Unit: 1714
Examiner: C. Toomer

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: _____
Filing Date: _____

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) _____ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) _____ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) ☒ Within 3 months of the filing date* or date of entry into the National Stage. (*with Continued Prosecution Application)
- (b) _____ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.
- (c) _____ Before the mailing date of a first Office Action on the merits after a first or second submission under 37 C.F.R. 1.129(a).

(d) ___ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) ___ The required certification is given below, or

(2) ___ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) ___ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 12-2275.

(e) ___ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) ___ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

(2) ___ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 12-2275.

4. Certification (if applicable)

(a) ___ The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) ___ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 12-2275.

Respectfully Submitted,

THE LUBRIZOL CORPORATION

By William C. Tritt

William C. Tritt
Reg. No. 32,510

29400 Lakeland Boulevard
Wickliffe, Ohio 44092-2298
(216) 621-1113

Form PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	Atty Docket No.: 2926R-01	Serial No.: 09/432,539
	Applicant: James N. Vinci	
	Filing Date: 11/3/99	Group: 1721

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

Examiner's Initials		Document Number							Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	3	6	5	2	4	1	0	3/28/72	Hollingshurst et al	252	32.7	
	AB	5	5	2	3	0	0	5	6/4/96	Di Biase et al	252	18	
	AC	5	7	2	6	1	3	2	3/10/98	Roby et al	508	287	
	AD	5	7	6	7	0	4	4	6/16/98	Bigelow et al	508	186	
	AE	5	3	4	4	5	7	9	9/6/94	Ohtani et al.	252	51.50R	
	AF												
	AG												
	AH												
	AI												
	AJ												
	AK												

FOREIGN PATENT DOCUMENTS

Examiner's Initials		Document Number							Date	Country	Class	Subclass	Translation	
													Yes	No
	AL													
	AM													
	AN													
	AO													
	AP													

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	AQ	PCT/US99/25670; PCT International Search Report mailed February 10, 2000.
	AR	
	AS	

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Information Disclosure Statement PTO-1449 (Modified)

The identification of any reference is not intended to be, and should not be understood as being, an admission that such publication, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given reference may have a later effective date than first seems apparent or the reference may have an effective date which can be antedated. The "prior art" status of any reference is a matter to be resolved during prosecution.